

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

MICHELLE FOSTER, :  
Plaintiff, : Case No. 3:14cv00066  
vs. : District Judge Walter Herbert Rice  
CAROLYN W. COLVIN, : Chief Magistrate Judge Sharon L. Ovington  
Acting Commissioner of the Social :  
Security Administration, :  
Defendant. :  
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**DECISION AND ENTRY**

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The Court has conducted a de novo review of the Report and Recommendations of United States Magistrate Judge Sharon L. Ovington (Doc. #13), to whom this case was originally referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** said Report and Recommendations.

It is therefore **ORDERED** that:

1. The Report and Recommendations filed on December 9, 2014 (Doc. #13) is **ADOPTED** in full;
2. The Commissioner's non-disability finding is **VACATED**;

3. No finding is made regarding whether Plaintiff Michelle Foster is under a "disability" within the meaning of the Social Security Act;
4. This matter is **REMANDED** to the Social Security Administration pursuant to Sentence Four of 42 U.S.C. § 405(g) for further proceedings consistent with the Report and Recommendations, and this Decision and Entry; and
5. The case is terminated on the docket of this Court.



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Walter Herbert Rice  
United States District Judge